

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ishey OSTFELD et al

Application No.: 10/074,917

Filed: February 14, 2002

For: INDWELLING DEVICE

Confirmation No.: 6828

Customer Window, Mail Stop
THE COMMISSIONER OF PATENTS AND TRADEMARKS
Arlington, VA 22202



Art Unit: 3763

Examiner: L. KONTOS

Washington, D.C.

Atty.'s Docket: OSTFELD=1

Date: November 21, 2003

Sir,

Transmitted herewith is a ☒ **REPLY, AMENDMENT AND REMARKS** in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
☐ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 59	MINUS	** 58		1
INDEP.	* 6	MINUS	*** 3		3
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$ 9.00
x 43	\$ 129.00
+ 145	\$
ADDITIONAL FEE TOTAL	
\$ 138.00	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 88	\$
+ 290	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
☐ First - \$ 55.00
☒ Second - \$ 210.00
☐ Third - \$ 475.00
☐ Fourth - \$ 740.00
 Month After Time Period Set

Other Than Small Entity
Response Filed Within
☐ First - \$ 110.00
☐ Second - \$ 420.00
☐ Third - \$ 950.00
☐ Fourth - \$ 1,460.00
 Month After Time Period Set

☐ Less fees (\$) already paid for month(s) extension of time on

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 348.00.

☐ A check in the amount of \$ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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TELEFAX CONTROL SHEET

SENT TO: Ex Kostas (303) 872-9302DATE SENT: January 2, 2004SUBJECT: 10/034,013No. of pages (including this cover sheet): 29FROM: Janis Abbott - secretary

Remarks:

Here is the amendment filed Nov. 21, 2003, with postcard
receipt(w/ payment form)

Browdy + Neimark

RECEIVED
CENTRAL FAX CENTER

JAN 02 2004

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APPLICATION/PATENT NO: 10/034,013
DOCKET NO: 027373520

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

- ☒ FEES \$ 345.00
☒ PTO FORM 2038 ☐ (CH. # _____)
☒ EXTENSION OF TIME (2 MONTHS)
☒ TRANSMITTAL LETTER
☐ MISSING PARTS RESPONSE WITH DECL
☒ AMENDMENT/RESPONSE (circles one)
☐ PRELIMINARY ☐ SUPPLEMENTAL
☐ APPLICATION DATA SHEET
☐ RESTRICTION/ELECTION REPLY
☐ SEQUENCE LISTING ☐ WITH DISK
☐ ROE / CPA TRANSMITTAL (circles one)
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF (TRIPPLICATE)
☐ REPLY BRIEF (TRIPPLICATE)
☐ OTHER _____

SAN-1

CONF. NO.: 027373520
CLIENT CODE: 00001



- ☐ ASSIGNMENT
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM SB08A & _____ PATENTS/PUBS
☐ PRIORITY DOCUMENT(S) NO. _____
☐ DECLARATION UNDER §
☐ LETTER TO DRAFTSMAN
☐ SHEETS OF DRAWINGS
☐ ISSUE FEE TRANSMITTAL FORM
☐ MAINTENANCE FEE LETTER